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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/107,618	06/30/1998	STEVEN M BLUMENAU	E0295/7066RF	8313
7590 10/18/2006				
WOLF GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210-2211			EXAMINER STRANGE, AARON N	
			ART UNIT 2153	PAPER NUMBER

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/107,618	Applicant(s) BLUMENAU ET AL.	
	Examiner Aaron Strange	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-27 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-27 and 29-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>08242006</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The Examiner would like to note that the present application has been reassigned to a new Examiner.

### ***Response to Arguments***

2. Applicant's arguments filed 7/19/06 have been fully considered but they are not persuasive.

3. Applicant has presented substantially identical arguments to those presented in the remarks filed 12/23/2005. To the extent that the arguments are the same as those previously presented, they have been reconsidered but remain unpersuasive for at least the reasons set forth in the Office action of 4/21/2006. The newly presented arguments are addressed below.

4. With regard to Applicant's assertion that "Nothing is mentioned to suggest the Ericson system, even if implemented using the Fibre Channel protocol, would be used in an untrusted environment" and that "Ericson's entire description is in the context of a trusted environment" (Pages 14-15 of Remarks), the Examiner respectfully disagrees.

Ericson fails to specify whether the described methods occur in a "trusted environment", and certainly does not disclose that they must be performed in such an environment. In fact, the disclosure does not even contain the words "trust" or "trusted environment". The mere fact that the environment of a single disclosed embodiment

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(SCSI environment) is known to be "trusted and secure" simply does not necessitate or even recommend that the methods be performed only in a "trusted" environment.

As discussed previously, Ericson clearly discloses that other known protocols may be used to implement the invention, specifically Fibre Channel (at least Col 6, Lines 1-6). Boggs teaches that Fibre Channel is considered to be preferable to parallel bus SCSI (At least Col 2, Lines 63-67), providing motivation to use the Fibre Channel embodiment suggested by Ericson. As acknowledged by Applicant, it is known that Fibre Channel environments are not always trusted (Page 11, Lines 17-20).

One of ordinary skill in the art, when presented with the disclosures of Ericson and Boggs, and aware of the known security issues present in a Fibre Channel environment, would have been motivated to seek out solutions to them. When made aware of the teaching of Yu, the would have been motivated to use an authentication mechanism such as the one taught by Yu to verify that a requesting device is authorized to access a resource and is not being spoofed.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 9-27, 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson US patent 6,061,753 and further in view of Boggs et al. US patent 5,959,994 and Yu US patent 4,919,545.**

7. As per claim 1, Ericson teaches a data management method for managing access to a storage system between two devices coupled to the storage system through a network [col.1 "SCSI Fibre Channel bus or Ethernet based local area network"], the method comprising:

Receiving over the network at the storage system a request from one of the device [initiator – see col.3 lines 56-60];

Selectively servicing, at the storage system, the request responsive to configuration data indicating that the device [initiator] is authorized to access the portion of data [col.4 lines 4-25].

Ericson does not teach authenticating the request at the storage system to authenticate the device issuing the request. Yu teaches a security method for authorizing access by a process in source node to a resource in the network comprising encrypting an identifier of the requesting node using a key associated with the node, sending the encrypted key to the resource, decrypting the identifier at the resource node to verify the request [see abstract].

It is well known in the art at the time of the invention that SCSI peripherals may be distributed over wide area network using ATM and Fibre Channel. (See Boggs et al. US patent 5,959,994 col.2 lines 63-68, col.10 lines 8-22). Ericson specifically discloses

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that his invention is applicable to Fibre Channel protocols (col.6 lines 1-6). Hence, it would have been obvious for one of ordinary skill in the art to combine Boggs and Ericson because it would have enabled distributed access control to peripherals over wide area network.

Yu discloses that distributed network is vulnerable to identity spoofing (col.4 lines 56-65). Yu specifically discloses that security based on access control only is inadequate (col.1 lines 60-63, col.2 lines 7-10). Hence, Given the teaching of Yu, one of ordinary skill in the art would have been motivate to use both the access control security of Ericson together with authentication security of Yu to form an enhanced security system to prevent both type of security breaches: unauthorized access and identification theft.

Therefore, it would have been obvious for one of ordinary skill in the art to combine the teaching of Yu with the storage system of Ericson as modified to authenticate that the represented device is the device making the request because it would have prevented access by a device masqueraded as an authorized device (see Yu col.3 line 29-35).

8. As per claim 2, Ericson teaches the storage system stores a plurality of volumes of data where configuration data stored in the storage system in a configuration table [look-up table] having identifier and information indicating which volumes are available to a device [col.4 lines 34-54].

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9. As per claim 3, it is apparent Ericson as modified that the request would be forwarded to the storage system over the network.

10. As per claim 4, Ericson teaches using Fibre Channel [col.1 line 15, col.6 line 5].

It is apparent that a system with Fibre Channel would use Fibre Channel protocol.

11. As per claims 15-18, 21-22, 26-27 they are rejected under similar rationales as for claims 1-4 above. It is apparent that the process as modified would have computer program instruction stored on computer readable medium and the corresponding system for carrying out the method recited.

12. As per claims 11 and 30, Ericson teaches plural disk drives [RAID col.4 lines 5-15].

13. As per claims 12 and 29, Yu teaches validating that the request was not altered during transmit (col.3 lines 29-35).

14. As per claims 13 and 19-20, 24-25, Ericson teaches row with bitmap records corresponding to teach device authorized to access each of the corresponding ports [col.4 lines 40-53].

15. As per claims 14 and 23, Ericson teaches precluding service request responsive to configuration data [col.4 lines 47-50]. As per claims 9, 10, 31, 32, Ericson does not specifically disclose that the device is a host processor or file server. The type of device making the request would clearly have been a matter of design choice because it does not change the functionality of the storage system access control method taught by Ericson. Furthermore, Ericson teaches using the system may be used over a local area network [col.1 lines 15-16]. Official notice is taken that the usage of host processor and file server in a LAN or WAN is ubiquitous at the time of the invention. Hence, it would have been obvious host processor and file server requesting access to the storage system in Ericson as modified in order to provide file services to requesting clients.

16. **Claims 33, 6-8, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson, Boggs, and Yu, and further in view of Abadi et al. US patent 5,315,657.**

17. As per claim 33, Yu teaches the request include a request access key (capability + signature 44), and verify with an expected key at the storage system (resource node) [see col. 6 line 50 to col. 7 line 44]. Yu does not teach sending an expected access key between the storage system and the requesting device. Yu teaches the resource node maintains a unique encryption key for each requesting node [col.7 lines 12-15, lines 50-56]. Yu does not specifically disclose how the resource node comes to possession of these unique keys. However, the method of providing encryption information to a



destination node so that the destination node can encrypt data specifically targeted for the providing node is well known in the art. Abadi discloses using RSA cryptography to authenticate the identity of a requesting node by providing a public key to the destination and the destination returning to the requesting node data (i.e. the claimed expected access key) encrypted using that public key such that it can only be decrypted with the requesting node's private key. [See Abadi col.4 lines 50-68, col.5 lines 1 to col.6 line 8]. RSA cryptography is a well-known secured encryption standard and code for implementing the encryption is readily available. Hence, it would have been obvious for one of ordinary skill in the art to modify Ericson and Yu to use RSA cryptography because it would have eased implementation of the encryption features and to ensure difficulty for unauthorized device to gain access via theft of the access key.

18. As per claim 6, Yu teaches verifying the identified source by comparing the requested key to the expected key (col.3 lines 20-28).

19. As per claim 7, Yu clearly teaches encrypting using key associated with the device [col.7 lines 14-15].

20. As per claim 8, it is apparent that the system as modified would decrypt the access key using a decryption key provided initially by the device (the public key).

21. As per claim 34, Abadi teaches transferring of encryption information between the storage system and the device (the exchange of public key information [see Abadi col.4 lines 50-68, col.5 lines 1 to col.6 line 8]).

### ***Conclusion***

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS  
10/9/09



KRISNA LIM  
PRIMARY EXAMINER